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Attorney for Plaintiff

IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

INVEST VEGAS, LLC.,

Plaintiff,

vs.

21ST MORTGAGE CORPORATION; CAL-WESTERN  
RECONVEYANCE CORPORATION; NATIONAL  
CITY MORTGAGE, A DIVISION OF NATIONAL  
CITY BANK OF INDIANA; COMMONWEALTH  
LAND TITLE INSURANCE COMPANY; ONTARIO  
CONDOMINIUM RENTAL SERVICES INC; HARLESS  
S. CARTER; LANA CARTER; DARREN C. BOUTON;  
DOES I THROUGH X, INCLUSIVE; ROE BUSINESS  
ENTITIES I THROUGH X INCLUSIVE,

Defendants.

Case No. 2:15-cv-00644-JCM-VCF

STIPULATION AND ORDER FOR EXTENSION OF  
TIME FOR PLAINTIFF TO RESPOND TO  
DEFENDANT, 21 MORTGAGE CORPORATION'S  
MOTION FOR CLARIFICATION OR, IN THE  
ALTERNATIVE, RULE 60(b) MOTION FOR RELIEF  
FROM JUDGMENT

(FIRST REQUEST)

Plaintiff, INVEST VEGAS, LLC. ("Plaintiff"), by and through its attorney, Crystal Eller, and Defendant, 21 MORTGAGE COPPORATION, ("Defendant") by and through its attorney, Ramir M. Hernandez, Esq. of Brooks and Hubley, LLP, hereby stipulate and agree to an extension of time up to and including February 15, 2017, for the Plaintiff, INVEST VEGAS, LLC. to file an opposition or otherwise respond to Defendants' motion for clarification or, in the alternative, Rule 60(b) motion for relief from judgment.

WHEREAS, Plaintiff filed a Complaint in the Eighth Judicial District Court in Nevada on January 14, 2014.

WHEREAS, Defendant, 21 Mortgage Corporation removed the case to the United States District Court for the District of Nevada on April 10, 2015. (ECF 1.)

WHEREAS, Defendant, 21 Mortgage Corporation filed an amended petition for removal on April 22, 2015. (ECF 4.)

WHEREAS, Plaintiff, Invest Vegas, LLC then filed a motion to remand to the state court on May 19, 2015. (ECF 8.)

WHEREAS, Defendant, 21<sup>ST</sup> Mortgage Corporation filed its response to Plaintiff's motion to remand to state court on June 6, 2015 (ECF 10);

WHEREAS, Plaintiff filed its reply on June 12, 2015 (ECF Doc 11);

1 WHEREAS, the order denying Plaintiff's motion to remand back to state court and referring this case to the Bankruptcy  
2 Court in this district for resolution was filed on October 9, 2015. (ECF Doc 13) WHEREAS, this Court's referral of the case caused  
3 an adversary proceeding to be opened in the U.S Bankruptcy Court District of Nevada, Las Vegas as case number 15-01179-led on  
4 October 22, 2015. (ECF Doc 1)

5 WHEREAS, defendant, 21st Mortgage Corporation filed a motion to transfer case/change venue to the United States  
6 Bankruptcy Court of the Southern District of New York on 11/16/2015. (EFC Doc 46)

7 WHEREAS; Defendant, 21<sup>st</sup> Mortgage Corporation's motion to transfer case/change venue was granted on January 25,  
8 2016. (ECF Doc 47)

9 WHEREAS; the United States Bankruptcy Court Southern District of New York entered receipt of Inter-District  
10 Bankruptcy transfer of the case on February 22, 2016. (ECF Doc 54)

11 WHEREAS; Defendant, 21<sup>st</sup> Mortgage Corporation filed a motion for summary judgment April 28, 2016. (ECF Doc 60)

12 WHEREAS; Plaintiff, Invest Vegas LLC filed a cross motion for summary judgment on June 30, 2016.(ECF Doc 71)

13 WHEREAS; the Court entered Judgment denying Defendant's motion for summary judgment and granting Plaintiff's  
14 motion for summary judgment on September 20, 2016 (ECF Doc 80)

15 WHEREAS; Defendant, 21<sup>st</sup> Mortgage Corporation filed a motion to reconsider on September 30, 2016. (ECF Doc 81)

16 WHEREAS; Defendant's motion to reconsider was denied on November 10, 2016. (ECF Doc 91)

17 WHEREAS; the United States Bankruptcy Court Southern District of New York issued an order amending its order  
18 entered on September 20, 2016 and transferring the case to the this Court on November 30, 2016. (ECF Doc 91)

19 WHEREAS; plaintiff, 21<sup>st</sup> Mortgage Corporation filed a motion for clarification or alternatively, motion for relief from  
20 judgment in the present court on January 17, 2017. (ECF Doc 14)

21 WHEREAS; Defendant, 21<sup>st</sup> Mortgage Corporation served the above referenced motion for clarification upon Plaintiff's  
22 counsel by email and by mail at the address listed on the Nevada State Bar\_website rather than her business address

23 WHEREAS, 21<sup>st</sup> Mortgage Corporation served the Motion on Plaintiff's counsel by mail because Plaintiff's counsel had  
24 yet to register for e-service on the Court's ECF system.

25 WHEREAS, the service to the address listed on the Nevada Bar's website caused a delay in Plaintiff's Counsel receiving  
26 a copy of the motion.

27 WHEREAS; Plaintiff needs additional time to evaluate and respond to the allegations made in Defendants' motion;

28 WHEREAS, this is the first stipulation to extend time to respond this motion submitted to the Court;

WHEREAS, this request is not made for purposes of delay and is supported by good cause;

1 The parties hereby agree and request that Plaintiff be given up to and including February 15, 2017 within which to  
2 oppose or otherwise respond to Defendant's motion for clarification or alternatively, motion for relief from judgment.

3  
4 Dated: January 31, 2017.

Dated: January 31, 2017.

5  
6 BROOKS HUBLEY, LLP

7 By: /s/ Ramir M. Hernandez

Ramir M. Hernandez, Esq.

8 Nevada Bar No. 13146

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10 Attorneys for the Defendant

21ST MORTGAGE CORPORATION

By: /s/ Crystal Eller

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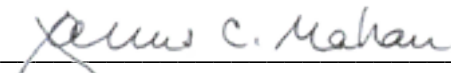
**ORDER FOR EXTENSION OF TIME FOR  
PLAINTIFF TO RESPOND TO DEFENDANT, 21  
MORTGAGE CORPORATION'S MOTION FOR  
CLARIFICATION OR, IN THE ALTERNATIVE,  
RULE 60(b) MOTION FOR RELIEF FROM  
JUDGMENT**

**ORDER**

On the parties' stipulation, it is hereby ORDERED that the Plaintiff shall have until February 15, 2017 to oppose or otherwise respond to Defendant's motion for clarification or alternatively, motion for relief from judgment.

IT IS SO ORDERED.

DATED February 3, 2017.

  
UNITED STATES DISTRICT JUDGE